

AKIN GUMP STRAUSS HAUER & FELD LLP

One Bryant Park
New York, NY 10036
Telephone: (212) 872-1000
David H. Botter

1700 Pacific Avenue, Suite 4100
Dallas, Texas 75201
Telephone: (214) 969-2800
Sarah Link Schultz (admitted *pro hac vice*)
Sarah J. Crow (admitted *pro hac vice*)

Proposed Counsel to Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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)	
In re:)	Chapter 11
)	
INTERNATIONAL SHIPHOLDING)	Case No. 16-12220 (SMB)
CORPORATION, <i>et al.</i> , ¹)	
)	
Debtors.)	Jointly Administered
)	

PROPOSED AGENDA FOR SEPTEMBER 15, 2016, HEARING

Time and Date of Hearing: September 15, 2016 at 2:00 p.m. (prevailing Eastern Time)

Location of Hearing: Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
Alexander Custom House
One Bowling Green, Courtroom 723
New York, New York 10004-1408

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: International Shipholding Corporation (9662); Enterprise Ship Co. (9059); Sulphur Carriers, Inc. (8965); Central Gulf Lines, Inc. (8979); Coastal Carriers, Inc. (6278); Waterman Steamship Corporation (0640); N.W. Johnsen & Co., Inc. (8006); LMS Shipmanagement, Inc. (0660); U.S. United Ocean Services, LLC (1160); Mary Ann Hudson, LLC (8478); Sheila McDevitt, LLC (8380); Tower LLC (6755); Frascati Shops, Inc. (7875); Gulf South Shipping PTE LTD (8628); LCI Shipholdings, Inc. (8094); Dry Bulk Australia LTD (5383); Dry Bulk Americas LTD (6494); and Marco Shipping Company PTE LTD (4570). The service address for each of the above Debtors is 601 Poydras Street, Pan American Building, Suite 1850, New Orleans, Louisiana 70130.

Copies of Motions: A copy of each pleading can be viewed (a) for a fee on the Court's website at <https://ecf.nysb.uscourts.gov>, and (b) free of charge on the website of the Debtors' proposed claims and noticing agent, Prime Clerk, at <https://cases.primeclerk.com/ish>.

MOTIONS TO BE CONTINUED

- A. Tax Motion. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing, but not Directing, Debtor to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor all Related Checks and Electronic Payment Requests [ECF No. 13]

Objection/Response Deadline: August 18, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing, but not Directing, Debtors to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor all Related Checks and Electronic Payment Requests [ECF No. 65]
5. Second Interim Order signed on 8/23/2016 (I) Authorizing, But Not Directing, Debtors to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Scheduling a Final Hearing [ECF No. 119]
6. Third Interim Order signed on 9/7/2016 (I) Authorizing, But Not Directing, Debtors to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Scheduling a Final Hearing [ECF No. 160]

Status: The Debtors request that this matter be adjourned to the next hearing in these chapter 11 cases.

- B. Pre-Petition Wages Motion. Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations [ECF No. 10]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]
4. Limited Objection and Reservation of Rights of IOMM&P and MEBA to Debtors' Motions for Entry of Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations and for Entry of Final Orders (1) Authorizing Debtors to (a) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and 3) Granting Certain Related Relief [ECF No. 88]
5. Motion of Seafarers International Union in Opposition to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation and Reimbursable Expenses, and (B) Continue Employee Benefit Programs and (C) Pay Directors' Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations [ECF No. 89]

Related Documents:

6. Interim Order (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [ECF No. 44]

7. Second Interim Order signed on 8/23/2016 (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [ECF No. 120]
8. Third Interim Order signed on 9/7/2016 (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [ECF No. 161]
9. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
10. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
11. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: The Debtors request that this matter be adjourned to the next hearing in these chapter 11 cases.

MOTIONS AND OTHER MATTERS TO BE HEARD AT THE HEARING

- A. Cash Management Motion. Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Continue in Ordinary Course (A) Using Existing Cash Management System, Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors Banks to Honor All Related Payment Requests; and (III) Waiving, or Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 16]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received: None

Related Documents:

1. Interim Order (I) Authorizing Debtors to Continue in Ordinary Course (A) Using Existing Cash, Management System Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors' Banks to Honor all Related Payment Requests; and (III) Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 41]

2. Second Interim Order Signed on 9/7/2016 (I) Authorizing Debtors to Continue in Ordinary Course (A) Using Existing Cash, Management System Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors' Banks to Honor all Related Payment Requests; and (III) Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 162]
3. Notice of Final Hearing on Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Continue in Ordinary Course (A) Using Existing Cash Management System, Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors' Banks to Honor All Related Payment Requests; and (III) Waiving, or Extending the Time to Comply With Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 125]

Status: This matter is going forward on a final basis.

- B. Case Management. Debtors' Motion for Entry of an Order Establishing Certain Notice, Case Management, and Administrative Procedures [ECF No. 9]

Objection/Response Deadline: September 8, 2016, at 5:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plans Objection to Debtors' Motion for Entry of an Order Establishing Certain Notice, Case Management, and Administrative Procedures [ECF No. 105]

Related Documents:

2. Notice of Hearing on Debtors' Motion for Entry of an Order Establishing Certain Notice, Case Management, and Administrative Procedures [ECF No. 124]

Status: This matter is going forward.

- C. Initial Case Conference. Order Scheduling Initial Case Conference [ECF No. 47]

Related Documents:

1. Affidavit of Service [ECF No. 165]

Status: This matter is going forward.

- D. Critical Trade Claims. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 14]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; Scheduling a Final Hearing; and (III) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 55]
5. Second Interim Order Signed on 9/8/2016 (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; (II) Scheduling a Final Hearing; and (III) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 164]
6. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
7. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
8. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: This matter is going forward on a final basis.

- E. Lien Claimants. Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, (C) Arising under Bankruptcy Code Section 503(b)(9) and (D) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing Financial Institutions to Honor and Process Checks and Electronic Payment Requests Related to the Foregoing Obligations [ECF No. 15]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, and (C) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing Financial Institutions to Honor and Process Checks and Electronic Payment Requests Related to the Foregoing Obligations [ECF No. 45]
5. Second Interim Order Signed on 9/7/2016 (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, (C) Arising under Bankruptcy Code Section 503(b)(9) and (D) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing the Financial Institutions, When Requested by the Debtors, to Receive, Process, Honor, and Pay All Checks Presented for Payment and Electronic Payment Requests Related to the Trade Claims [ECF No. 163]
6. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
7. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
8. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: This matter is going forward on a final basis.

- F. DIP Financing. Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 17]

Objection/Response Deadline: August 17, 2016, at 12:00 p.m. (prevailing Eastern Time) as to Capital One National Association, Citizens Asset Finance, Inc., and Regions Bank; August 15, 2016, at 4:00 p.m. (prevailing Eastern Time) as to all other parties.

September 1, 2016, at 4:00 p.m. (prevailing Eastern Time) as to the Prepetition Secured Parties

Objections/Responses Received:

1. Limited Objection and Reservation of Rights of IOMM&P and MEBA to Debtors' Motions for Entry of Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations and for entry of final Orders (1) Authorizing Debtors to (a) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and 3) Granting Certain Related Relief [ECF No. 88]
2. Citizen Asset Finance, Inc.'s Limited Objection to Senior Secured Post-Petition Financing and Objection to Use of Its Cash Collateral [ECF No. 99]
3. Capital One, National Association's Limited Objection and Reservation of Rights in Response to Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 104]
4. Limited Objection and Reservation of Rights of Regions Bank, as Agent, in Response to Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral and (C) Grant Certain Protections to Pre-Petition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related [ECF No. 136]
5. [Redacted] Debtors' Reply Memorandum of Law in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to

Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 142]

6. Debtors' Reply Memorandum of Law in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 144]

Related Documents:

7. Declaration of Laurence H. Gurley in Support of Entry of Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 23]
8. Notice of Filing of DIP Budget and Credit Agreement [ECF No. 25]
9. Interim Order (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 42]
10. Memorandum Endorsed Order Signed on 8/16/2016. Re: Granting Extension [ECF No. 92]
11. Order signed on 8/24/2016 Adjourning Final Hearing of Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 127]
12. Supplemental Declaration of Laurence H. Gurley in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 145]
13. Supplemental Declaration of Laurence H. Gurley in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 146]
14. Declaration of William B. Mollard in Support of Entry of Interim and Final Orders: (I) Authorizing Debtors to (A) Obtain Priming and Super-Priority Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 364(c)(1),

364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1) and 364(e) and (B) Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364, (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and (c) and (IV) Granting Related Relief [ECF No. 147]

Status: The proposed final order with respect to this motion (the “Final DIP Order”) has been deemed acceptable by the DIP lenders, the U. S. Trustee, each of the primed parties, and has been approved by counsel to the parties that requested review rights at the hearing. The Debtors are continuing to discuss the form of Final DIP Order with the official committee of unsecured creditors (the “Committee”). The Debtors will be seeking entry of the Final DIP Order at the hearing. The Committee has requested that this hearing be continued if the parties are not able to reach an agreement on the form of Final DIP Order.

- G. Motion to Reject Lease. Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Reject an Unexpired Lease *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [ECF No. 148]

Objection/Response Deadline: September 14, 2016, at 10:00 a.m. (prevailing Eastern Time)

Objections/Responses Received: None.

Related Documents:

1. Declaration of Sarah Link Schultz Pursuant to Local Bankruptcy Rule 9077-1(a) in Support of Order to Show Cause Scheduling Hearing on Shortened Notice for Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Reject an Unexpired Lease *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [ECF No. 140]
2. Order to Show Cause signed on 9/6/2016 Scheduling Hearing on Shortened Notice for Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Reject an Unexpired Lease *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [ECF No. 149]

Status: This matter is going forward.

Dated: New York, New York
September 13, 2016

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ David H. Botter

David H. Botter

One Bryant Park

New York, NY 10036

Telephone: (212) 872-1000

Facsimile: (212) 872-1002

Sarah Link Schultz (admitted *pro hac vice*)

Sarah J. Crow (admitted *pro hac vice*)

1700 Pacific Avenue, Suite 4100

Dallas, Texas 75201

Telephone: (214) 969-2800

Facsimile: (214) 969-4343

*Proposed Counsel to Debtors and Debtors in
Possession*